



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 2008

RQ-2

Mr. Brian L. Wolff, Treasurer
Democratic Congressional Campaign Committee
430 South Capitol Street, SE
2nd Floor
Washington, DC 20003

Response Due Date:
July 18, 2008

Identification Number: C00000935

Reference: April Monthly Report (3/1/08-3/31/08)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 8 items:

1. Schedule A supporting Line 15 of your report discloses an offset to an operating expenditure(s) totaling \$2,253.55 from "Tim Bishop for Congress," "Becerra for Congress," "Riordan, Alexis A." and "Andre Carson for Congress"; however, your report(s) does not appear to disclose a disbursement to this entity. Please provide clarifying information regarding this activity and amend your report(s) if necessary.
2. Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the **2008 Primary** election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

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If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

3. Schedule B of your report discloses earmarked contributions totaling \$2,000, with no corresponding entries on Schedule A. Pursuant to 11 CFR §110.6(c), all earmarked contributions, that have passed through a conduit's account, must be itemized on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of the amount. All earmarked contributions that have been forwarded in the form of the contributor's check or written instrument must be itemized as memo entries on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of amount. Please identify the original contributors for the earmarked contributions disclosed on Schedule B.

4. Schedule A of your report discloses earmarked contributions totaling \$2,000, with no corresponding entries on Schedule B. Pursuant to 11 CFR §110.6(c)(1)(v), all earmarked contributions that have passed through a conduit's account must be itemized on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of amount. All earmarked contributions that have been forwarded in the form of the contributor's check or written instrument must be itemized as memo entries on the receipt (Schedule A) and disbursement (Schedule B) schedules, regardless of the amount. Please amend your report to clarify these discrepancies.

5. Please clarify all expenditures made for "Events/Meetings," "Fundraising Event Catering Expense," "Fundraising Event Photography Services" and "Fundraising Events/Meetings" on Schedule B. If a portion or all of these expenditures were made on behalf of specifically identified federal

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candidates, this amount should be disclosed on Schedules B, E or F supporting Lines 23, 24 or 25 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

6. Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule B supporting Line(s) 21(b) of your report to clarify the following description(s): "Administrative Services," "Consulting Services" and "Fees". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

7. Schedule B of your report discloses a reimbursement(s) to an individual(s) for apparent travel and subsistence advances in which the total amount reimbursed exceeds \$500. When the reimbursement amount to staff for travel and subsistence advances exceeds \$500, the payments by committee staff that make up the reimbursement may have to be itemized. For example, if the related payment(s) to any one vendor by the staff aggregates in excess of \$200 for the calendar year, the payment(s) must be itemized as a memo entry for that reimbursement. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and an adequate purpose. Please amend your report to include the missing information and clearly identify on the Schedule B, which reimbursement each memo entry relates to. If itemization is not necessary for a particular reimbursement to staff in excess of \$500, you must clarify this in an amendment to this report. 11 CFR §104.9 and Advisory Opinion 1996-20, footnote 3

8. Schedule E discloses independent expenditures on behalf of a federal candidate(s) participating in the 2008 Special-General election for the congressional seat in the 7th district of Indiana and 2008 Special-General election for the congressional seat in the 14th district of Illinois. Schedule F of this report discloses coordinated expenditures on behalf of the candidate(s) participating in the same election. Under 2 U.S.C. §431(17), an "independent expenditure" is defined as:

... an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate; and that is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized committee, or their agents, or a political party committee or its agents.

Further, 11 CFR §109.21 outlines the factors which define a coordinated communication. Please verify that the independent expenditures made by

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your Committee in support of Andre Carson and William G. Foster and in opposition to Jonathan Robert Elrod and James D. Oberweis, meet the definition of and were properly categorized as independent expenditures. If necessary, amend your reports to disclose the aforementioned transactions as in-kind contributions (Schedule B supporting Line 23 of the Detailed Summary Page) or coordinated expenditures (Schedule F supporting Line 25 of the Detailed Summary Page).

If the reclassification of these expenditures as in-kind contributions results in excessive contributions, the Commission recommends that you notify the candidate(s) and request a refund of the amount in excess of \$5,000 per election. If the reclassification of these expenditures as coordinated expenditures results in your committee exceeding the limitations under 2 U.S.C. §441a(d), the Commission recommends that you notify the candidate(s) and request a refund of the amount in excess of the expenditure limitation.

Please inform the Commission of any corrective action immediately in writing and provide a photocopy of your refund request(s) sent to the candidate(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Contributions from other political committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please

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DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE
PAGE 5

contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1144.

Sincerely,

Debbie Chacena
for: Edward Ryan

Senior Campaign Finance Analyst
Reports Analysis Division

209

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DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE

PAGE 6

In-kind Contributions After Election Date

Recipient Name	Date	Amount	Election	Candidate	Election State - Date
Total Audio Visual System	02/29/2008*	\$9.59	P2008	Melissa Bean	IL - 2/5/08
B Smith's Restaurant A	03/03/2008*	\$247.78	P2008	Melissa Bean	IL - 2/5/08
Total Audio Visual System	02/29/2008*	\$9.59	P2008	Deborah Halvorson	IL - 2/5/08
B Smith's Restaurant A	03/03/2008*	\$247.78	P2008	Deborah Halvorson	IL - 2/5/08

*These are memo entries that support a credit card payment on 3/20/08

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